

**ENTERED**

March 05, 2019

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

LEOBARDO ARAGUZ,  
Plaintiff,

v.

DEMPSIE CLINTON, *et al.*,  
Defendants.


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Civil Action No. 1:18-cv-00148

**AMENDED ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION**

Before the Court is the "Magistrate Judge's Report and Recommendation" (hereafter "R&R") (Docket No. 20) in the above-captioned case. No objections were filed. After a *de novo* review of the record, the Court **ADOPTS** the R&R in its entirety and **GRANTS** the following pleadings: (i) Defendant City of Harlingen, Texas's (hereafter "City") "Motion to Dismiss Defendant Scott Vega" (Docket No. 1 Ex. 1 at 50); (ii) the City's "Plea to the Jurisdiction" (Docket No. 1 Ex. 1 at 56); (iii) and the City's "Motion for Partial Judgment on the Pleadings" (Docket No. 4). Thus, the following claims are **DISMISSED WITH PREJUDICE**: (i) Plaintiff's state claims against Defendant Scott Vega; (ii) Plaintiff's claim of malicious prosecution against the City; and (iii) Plaintiff's claims against the City's Police Department.

Signed on this 5<sup>th</sup> day of March, 2019.

  
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Rolando Olvera  
United States District Court